

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USCA Docket Number:

USDC Docket Number : 05-cv-10592

Albert Raines

v.

Commonwealth of Massachusetts

CLERK'S CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 8/3/05.

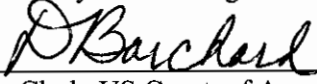
In testimony whereof, I hereunto set my hand and affix the seal of this Court on August 11, 2005.

Sarah A Thornton, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 8/11/05.


Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:05-cv-10592-EFH**

Raines v. Commonwealth of Massachusetts
Assigned to: Judge Edward F. Harrington
Cause: 28:2254 Petition for Writ of Habeas
Corpus (State)

Date Filed: 03/07/2005
Jury Demand: None
Nature of Suit: 530 Habeas
Corpus (General)
Jurisdiction: Federal Question

Petitioner

Albert Raines

represented by **Albert Raines**
0400578
200 Nashua Street
Boston, MA 02114
PRO SE

V.

Respondent

**Commonwealth of
Massachusetts**

represented by **David M. Lieber**
Assistant Attorney General
One Ashburton Place
Boston, MA 02108
617-727-2200
Fax: 617-727-5755
Email:
david.lieber@ago.state.ma.us
LEAD ATTORNEY
ATTORNEY TO BE
NOTICED

Date	#	Docket Text
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Filed		
03/07/2005	<u>1</u>	MOTION for Leave to Proceed in forma pauperis by Albert Raines.(Jenness, Susan) (Entered: 03/25/2005)
03/07/2005	<u>2</u>	PETITION for writ of habeas corpus pursuant to 28:2254 \$ 0.00, receipt number 0.00, filed by Albert Raines.(Jenness, Susan) (Entered: 03/25/2005)
03/07/2005	•	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Alexander. (Jenness, Susan) (Entered: 03/25/2005)
03/07/2005	•	EXHIBIT re <u>2</u> Petition for writ of habeas corpus (28:2254) filed by Albert Raines, by Albert Raines. (Jenness, Susan) (Entered: 03/25/2005)
04/08/2005	<u>4</u>	CERTIFICATE OF SERVICE by Albert Raines re <u>1</u> MOTION for Leave to Proceed in forma pauperis, <u>2</u> Petition for writ of habeas corpus (28:2254), Exhibit. (Holahan, Sandra) (Entered: 04/13/2005)
04/11/2005	<u>3</u>	Judge Edward F. Harrington : ORDER entered denying <u>1</u> Motion for Leave to Proceed in forma pauperis. Raines has failed to make a showing that he is unable to pay the \$5.00 filing fee, and the Court therefore denies the motion to proceed in forma pauperis. If the Court does not receive payment for the filing fee within forty-two (42) days of the date of this order, the petition will be dismissed without prejudice for failure to pay the filing fee. (McGlamery, Jeanette) (Entered: 04/12/2005)
05/03/2005	•	Filing fee: \$ 5.00, receipt number 63948 regarding petition for 2254 (Holahan, Sandra) (Entered: 05/04/2005)
05/05/2005	<u>5</u>	Judge Edward F. Harrington : ORDER entered. SERVICE ORDER re 2254 Petition. Order entered pursuant to R.4 of the Rules governing Section 2254

		cases for service on respondents. Answer/responsive pleading due w/in 60 days of rcpt of this order. (Holahan, Sandra) (Entered: 05/10/2005)
05/10/2005	<u>6</u>	EX PARTE MOTION for Preliminary Injunction by Albert Raines.(Holahan, Sandra) (Entered: 05/11/2005)
05/11/2005	•	Judge Edward F. Harrington : Electronic ORDER entered denying <u>6</u> Motion for Preliminary Injunction. MOTION DENIED. cc/cl (Holahan, Sandra) (Entered: 05/11/2005)
07/05/2005	<u>7</u>	NOTICE of Appearance by David M. Lieber on behalf of Commonwealth of Massachusetts (Lieber, David) (Entered: 07/05/2005)
07/05/2005	<u>8</u>	MOTION to Dismiss by Commonwealth of Massachusetts.(Lieber, David) (Entered: 07/05/2005)
07/05/2005	<u>9</u>	MEMORANDUM in Support re <u>8</u> MOTION to Dismiss filed by Commonwealth of Massachusetts. (Lieber, David) (Entered: 07/05/2005)
07/07/2005	<u>10</u>	STATE COURT Record. (NOT SCANNED) (Holahan, Sandra) (Entered: 07/08/2005)
07/11/2005	<u>11</u>	RESPONSE to Motion re <u>8</u> MOTION to Dismiss filed by Albert Raines. (Attachments: # <u>1</u> Exhibit A) (Holahan, Sandra) (Entered: 07/13/2005)
07/14/2005	•	Judge Edward F. Harrington : Electronic ORDER entered granting <u>8</u> Motion to Dismiss. MOTION TO DISMISS IS GRANTED ON GROUNDS SET FORTH IN RESPONDENT'S MEMORANDUM IN SUPPORT OF MOTION TO DISMISS. SO ORDERED. cc/cl (Holahan, Sandra) (Entered: 07/15/2005)
08/03/2005	<u>12</u>	NOTICE OF APPEAL as to Order on Motion to Dismiss by Albert Raines. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be

		downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 8/23/2005. (Holahan, Sandra) (Entered: 08/09/2005)
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